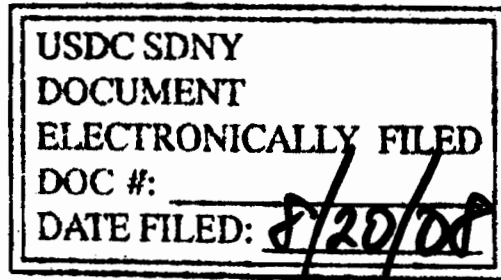


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



ABDELAZIZ ELMHADA et al.,

Plaintiffs,

-against-

PARK CAKE, INC. et al.,

Defendants.

08 Civ. 1564 (GEL)

ORDER

GERARD E. LYNCH, District Judge:

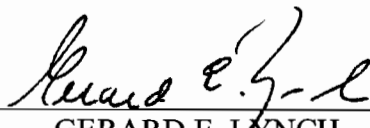
The Court has received a letter from counsel for defendants requesting on behalf of the parties that the Court enter a scheduling order giving plaintiff two weeks to serve an Amended Complaint and giving defendants 30 days thereafter to answer and/or move against the Amended Complaint. Subject to the Court's approval of this schedule, the parties consent to defendants' withdrawal of the pending 12(b) motion to dismiss.

Accordingly, it is hereby ORDERED that:

1. Plaintiffs shall file and serve an Amended Complaint by September 5, 2008.
2. Defendants shall answer or otherwise respond to the Amended Complaint by October 6, 2008.
3. On the consent of the parties, defendants' pending motion to dismiss is hereby deemed withdrawn. (Doc. #1, 4-1.)

SO ORDERED.

Dated: New York, New York
August 20, 2008


GERARD E. LYNCH
United States District Judge